

- MINUTES -
UTAH AIR QUALITY BOARD MEETING
March 12, 2003

I. Call to Order

David George called the meeting to order at 1:35 p.m.

Board members present:

David B. George
Jeffrey K. Utley
John M. Veranth

Dannie R. McConkie
James R. Horrocks
Wayne M. Samuelson

Richard R. Olson
Ernest E. Wessman

Executive Secretary: Richard W. Sprott

II. Date of Next Meeting

The next meeting of the Air Quality Board will be held on Wednesday, May 7, 2003 (no meeting in April). The June meeting will be held on June 4.

III. Approval of the Minutes of the January 8, 2003, Board Meeting

Ernest Wessman made the motion to approve the minutes of the January 8, 2003, Board meeting. The motion was seconded. The motion passed.

IV. Final Approval: R307-214-2, Incorporation by Reference, Various Subparts of 40 CFR Part 63, National Emission Standards for Hazardous Air Pollutants (NESHAPs), MACT Standards

Presenter: Eileen Brennan, Environmental Scientist

Ms. Brennan stated that a small wording change was made to the rule text. The word "except" in the third line of the first paragraph has been replaced by "or later." Richard Olson made the motion to adopt. Jeff Utley seconded the motion. The motion passed.

V. Recommendations for Letter to EPA Regarding Designation Recommendation Under the Eight-hour Ozone Standard

Rick Sprott stated that the recommendation will be brought to the Board at the May meeting. The Division received a letter from the Utah Department of Transportation asking that DAQ make a recommendation of attainment for the entire state. The Division intends to do that since monitoring shows all areas of the state in attainment for ozone.

EPA had set a date of April 15, 2003, for submittal of a recommendation. They have now extended that date 90 days to July 15, 2003.

VI. Information Items

A. House Bill 125

Rick Sprott informed the Board that this bill would have required the legislature to approve all air quality plans. It was later changed to approve only regional haze plans. The effect of that legislation would have required Board actions to be referred to the legislature and have a majority vote in both houses. The current statute delegates this authority to the Air Quality Board. The Department opposed both versions of the bill because the Board system is very effective and efficient. The bill failed.

David George mentioned that this bill was largely promoted by a group called CEED (Center for Economic and Energy Development), which is a lobbying group out of Colorado representing coal companies. The bill was developed without involvement of the Board or others who would have been interested in this action.

This seems to be a well-funded effort and will probably not go away. The idea has been successful in other states.

B. Regional Haze SIP Update

Kendall Group, Inc., in Scottsdale, Arizona, has been hired as the consultant for the outreach process for the regional haze SIP. Shawn Kendall, the principal, is a chemical engineer who worked for Phelps Dodge for 24 years and was their lead person on policy and technical matters on regional haze and PM_{2.5}. He serves on EPA's FACA subcommittee on integration of the new ozone and PM_{2.5} standards. He served on the Grand Canyon Visibility Transport Commission as the secretary for the public advisory board, and was one of the five members of the policy committee who oversaw the contractors. He helped draft the language that ended up in the final regional haze rule, has served on the WRAP technical oversight committee, and is currently consulting with several states on their stakeholder process for regional haze.

Jan Miller, Visibility Program Coordinator for the Division, presented a slide show outlining regional haze background, regional haze rule requirements, and the regional haze SIP development plan.

Ms. Miller stated that the 1977 Clean Air Act established a visibility protection program. In 1991, the Grand Canyon Visibility Transport Commission (GCVTC) was established to study 16 Class I areas. The Commission's recommendations were accepted as sensible from the technical and policy standpoint. A conclusion of the Commission was to form a new partnership to continue the process.

In 1997, the Western Regional Air Partnership (WRAP) was formed to follow through on GCVTC commitments. The WRAP consists of consensus based stakeholder committees, forums, and work groups. The WRAP is extraordinary because it's a partnership of 13 states and tribal and federal agencies that have joined together to cooperatively solve air quality problems.

The Regional Haze Rule was promulgated in 1999. Ms. Miller gave an overview of the Regional Haze Rule requirements; namely, the differences between Sections 308 and 309 of the rule.

Ms. Miller explained the Regional Haze SIP development process. WRAP work products will be used to assist in the state's SIP development process. A stakeholder advisory group of 20 people will be formed to ensure that the final SIP product meets Utah's needs. The group's first meeting will be held April 1, 2003. Public outreach meetings will be held in June in at least three locations (Salt Lake City, St. George, and Moab).

The *draft* SIP and rules should be ready in the March-June timeframe. The *draft* SIP will then go to public comment, public hearing, final adoption by the Air Quality Board, and submitted to EPA on December 31, 2003.

David George encouraged the Division to make SIP progress updates available via the Internet.

C. Monitoring Data for January/February 2003

Rick Sprott commended Bob Dalley and the AMC staff for the fine color graphs depicting monitoring activities throughout the Wasatch Front.

Inversions during this winter have not been very strong. With very few exceptions, the PM 2.5 and PM10 readings have been well below the standard. The woodburning program ended on March 1. Salt Lake/Davis Counties experienced two red days and five yellow days. Utah/Weber Counties were green the entire winter, and Cache County had one yellow and one red day.

D. HAPs Section Activities for November/December 2002 and January 2003

No questions or comments.

E. Compliance Section Activities for December 2002 and January 2003

No questions or comments.

Rick Sprott mentioned that Jeff Dean and staff have been putting special emphasis on using SEPs (Supplemental Environmental Projects) as penalties in settling notices of violation. Utah is the leader in the percentage of penalties that go to SEPs. These projects clean up the environment and benefit wildlife.

F. SIPs Update

Cheryl Heying informed the Board that EPA is holding approvals of some rule submittals. They have concerns about the submittals being consistent with the New Source Review Reform (NSR) rules that were recently adopted. DAQ feels the rules that have been submitted are outside of that NSR "box" because they deal with renumbering or clarifications. EPA is reviewing all rules as they relate to the new NSR rule. Don't expect any new SIP approvals for a while.

VII. Miscellaneous

David George recognized Board member John Veranth for receiving a research career development award with NIH, which includes a number of years of research that cuts across the normal lines expected from a process chemical engineer.

Mr. George also recognized Board member Wayne Samuelson for his appointment as Dean of Admissions at the University of Utah School of Medicine.

Two Board members, David George and Dannie McConkie, whose terms have expired, were honored for their eight years of service on the Air Quality Board. Rick Sprott commended them for their service and presented them with plaques and “gag” gifts (a large “smiley face” cookie for Mr. McConkie and Kennecott “tailings” in a jar for Mr. George).

Both gentlemen expressed that being a member of the Air Quality Board has been a rewarding and enjoyable experience.

The meeting adjourned at 2:25 p.m.